

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

In the Matter of)

Advanced Television Systems and)
Their impact upon the Existing)
Television Broadcast Service)

MM Docket No. 87-268

ORIGINAL

January 23, 1997

RECEIVED

K. Sandoval Burke
P.O. Box 2295
Boulder, CO 80306
(303)494-9660/(303)443-4243(day)
(303)443-2522Fax

JAN 24 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M. Street, NW
Washington, D.C. 20554

RE:

K. Sandoval Burke
LPTV Station KOHA-LP
Channel 65
Omaha, Nebraska
LPTV Station KLFT-LP
Channel 21
Lafayette, Louisiana

Dear Mr. Caton,

RE: Auctioning 60-69

I am licensee for KOHA-LP, Channel 65, Omaha, Nebraska. Perhaps you recognize my channel number as one of the "ill-fated" numbers. What you don't know is that I have put my life savings into building this station. You'll never know how much time I put into this station-the hours and hours of time, planning and sweat equity it takes when one is not a big corporation with high financing and ready access connections. There have been many hurdles I have overcome to accomplish this dream. I have dealt with equipment problems, money problems, logistic problems-all that and yet through my determination and persistence, I was still able to go on the air! The dream of being on air was made possible for someone like me-a woman and minority small business person with the FCC's creation of Low Power Television!

No. of Copies rec'd
List ABOVE

0+7

page 2

As small business owners, we are the heart of America. I cannot tell you how devastating it is after overcoming every obstacle and then to be met at THE END as in FINALE by having the Federal Government auction off one of my two television stations and displace my other television station. I will go bankrupt. Follow this logic.... I filed for a frequency the FCC said was available. I poured my hard earned money into this venture. I pay my taxes. Is it not enough to plan and calculate and work to stay on the air? And now I am told that I need to arise to fight a political system...the same political system that mandated my frequency was available and now says, looky here, we can make more money on these frequencies. As a business person, I can tell you how long one would stay in business with that as a corporate policy. It is incomprehensible the this is what the government has stooped down to. And now you have decided to sell my frequency to someone else????? Would you be so casual as to think...oh- simply file for another station.....I've even heard FCC staff say no problem, I can get new equipment for a new channel number. I've got to tell you, I am still paying for the first equipment. A small business could not afford to run a business the way the government does.

Okay, now let's get practical because from what I understand, this is already a done deal. So, if this is done, as is indicated, lets talk about compensation. It is imperative that all low power television station owners be reimbursed for all expenses involved with locating and moving to another channel and a buy-out of the station if there is no other solution.

RE: FCC and Broadcaster Proposal for HDTV and Broadcasters' Caucus Hit List: proposal for Channel 21, Lafayette, Louisiana

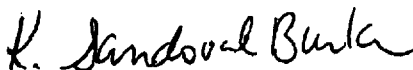
I have been on the air for about 4 years in Lafayette and feature a minority interest programming allowing for minority artistic expression. And yes, you guessed. I am on the hit list. Actually, it would be a direct hit according to the Broadcaster's Caucus Hit List and I would be an adjacent channel according to the FCC List. In any event, there are other LPTV stations that are a direct hit. Why not pick channels that do not currently have LPTV stations that are on the air? In the worst event, there must be affirmative decision for total compensation for the move and or buy out of the station. I feel that this is the responsibility of the HDTV who is coming into the area, after all, we are being replaced by \$80 million dollar television stations.

page 3

It's true that a number of LPTV stations won't be "hit" because of the terrain. If one is an adjacent channel, there is the possibility of staying on the air without interference. That is clearly not the case with my Lafayette station. If I am forced off the air, it would be only reasonable to have the station that forces me off the air would be required to reimburse me at fair market value. Current site agreements make the station creating interference responsible for fixing the problem. Quite frankly, it should be digital TV's responsibility. What is the FCC going to use as a standard for determining interference? I will not be interfering with the HDTV station, they would be interfering with my station. Additionally LPTV owners should be allowed to cause a small amount of interference to digital television during this interim. I think that whoever purchases the channel has the responsibility to pay for re- location to another channel or needs to buy the station out at fair market value.

Please direct all inquiries and communications concerning this matter to the undersigned. Thank you for your consideration in this manner.

Sincerely,



K. Sandoval Burke
KSB:bk

Digital first adjacent will create interference.